



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION  
*ELlicott City Historic District ■ LAWYERS HILL Historic District*  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

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## June Minutes

The fifth regular meeting for the year 2015 of the Historic Preservation Commission was held on Thursday, June 4, 2015 in the C. Vernon Gray Room located at 3430 Court House Drive, Ellicott City, Maryland.

Members present: Eileen Tennor, Chair; Allan Shad, Vice-Chair; Drew Roth, Secretary; Bruno Reich; and Erica Zoren

Members absent:

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Dan Bennett, and Carol Stirn

Chairperson Tennor opened the meeting at 7:00 p.m. with a statement explaining the process and rules of the meeting. Mr. Reich moved to Approve the May 7, 2015 minutes. Mr. Roth seconded. The motion was unanimously approved.

### **PLANS FOR APPROVAL**

1. 14-55c – 8000 Main Street, Ellicott City
2. 14-18c – 2106 McKendree Road, West Friendship, HO-192
3. 15-33 – 8267 Main Street, Ellicott City
4. 15-34 – 8167 Main Street, Ellicott City
5. 15-35 – 3570 Sylvan Lane, Ellicott City
6. 15-36 – 3641 Sylvan Lane, Ellicott City
7. 15-37 – 3765 Church Road, Ellicott City

### **14-55c – 8000 Main Street, Ellicott City, HO-72**

Final tax credit approval.

Applicant: Kay Sandler

**Background & Scope of Work:** On August 7, 2014 the Applicant was pre-approved to paint the exterior of the building, with the exception of the rear modern staircase.

**Staff Comments:** The work complies with that pre-approved and the receipts add up to the requested amount.

**Staff Recommendation:** Staff recommends Approval as submitted.

**Testimony:** There was no testimony.

**Motion:** Mr. Reich moved to Approve the final tax credit. Mr. Roth seconded. The motion was unanimously approved.

**14-18c – 2106 McKendree Road, West Friendship, HO-192**

Final tax credit claim.

Applicant: Steve Allnutt

**Background & Scope of Work:** On April 3, 2014 the Applicant was pre-approved to paint the exterior siding, sand and repaint the existing vinyl shutters, paint the metal roof black, paint the front door, replace exterior lights, repair and paint porches, repoint brick on front steps and two chimneys, replace steel door with a new doors, refinish three existing doors, add storm windows. The house has a modern side addition and the work approved was for the historic portion of the house only.

The Applicant has submitted documentation that \$37,225.00 was spent on the work and seeks \$9,306.25 in final tax credits.

**Staff Comments:** Staff has requested additional statements and receipts that break down the work done as the invoice submitted was very general, and only work to the historic portion of the house was eligible. There is also a typo on the invoice that shows an item cost \$2600 but does not include what the item is; the tax credit claim shows this is to replace a steel door and refinish three doors. The pictures provided show a double door as a completed project, however that door is from the modern addition and not eligible. In order for Staff to know if the expense is correct, an itemized breakdown of the cost per door is needed.

The Applicant provided some additional receipts. One receipt for electrical work states that 8 exterior lights were replaced for a total of \$2700.00. However, Staff finds that only 5 lights are eligible, as three are located on the modern addition. The lights are not all the same style, so there should be a difference in price between the lights that are eligible versus not eligible. Some of the shutters that were painted were located on the new addition, which also are not eligible.

The application also indicates that \$1100.00 was spent to repoint the brick on the front steps and two chimneys and an additional \$1200.00 was spent to repair and paint the front porch. Staff would like to know what the \$1200.00 repair included, if repointing was included in the \$1100.00 item. Additionally, the chimneys do not appear to have been repointed, as mortar gaps in brick coursing are visible from the ground. Additional information on these items would be helpful in order to determine if the expenses can be approved. The \$1100.00 line item for repointing of the steps and chimney is from Maryland Landscape Supply for concrete, mixes and grinder with blades.

The total for the painting was \$16,000.00; however only the historic portion of the house is eligible. The invoice does not indicate that the painting was only for this historic portion of the house, not including the modern addition and detached garage. The cancelled checks provided totaled \$40,000 and the Applicant said they over paid and received a refund. Staff is not sure if the invoices reflect work done to the historic portion of the house versus the entire house and garage.

**Staff Recommendation:** Staff recommends the request for tax credit final approval be withdrawn by the Applicant and resubmitted at the time that all invoices and receipts can be accounted for.

**Testimony:** Ms. Holmes explained that the Applicant requested this case be continued to the next month in order to obtain additional information.

**15-33 – 8267 Main Street, Ellicott City**

Exterior alterations.

Applicant: Bridget Graham

**Background & Scope of Work:** The building dates to about 1940. The Applicant proposes to install an art sculpture in front of the Howard County Welcome Center building. The art sculpture is part of the Howard County Arts Council and County Government program and will only be there for 11 months. This item recently came before the Commission for Advisory Comments and the Applicant now seeks a Certificate of Approval for the work. The proposed art sculpture will be a small eggplant that is 41 inches high by 24 inches wide and 25 inches deep. It is a resin cast coated in automotive clear coat that sits on a wooden block base. The base will be secured to the concrete so that the piece cannot be accidentally knocked over or removed from the site. The Applicant proposes to install the piece on the concrete entryway to the building, next to one of the benches. The location will not impede pedestrian traffic. The space on the concrete entryway is preferred over a lawn site, so that they do not have to add concrete into the lawn area.

**Staff Comments:** The Guidelines do not offer any recommendations for this type of project. However, the proposed sculpture will be smaller than many of the other art sites over the years. The sculpture will be drilled into the existing concrete pad and will not disturb the lawn in front of the building or impede the pedestrian right of way on the sidewalk.

**Staff Recommendation:** Staff recommends Approval as submitted.

**Testimony:** Ms. Tennor swore in Bridget Graham. Ms. Tennor asked if there were any additions or corrections to the Staff comments. Ms. Graham had none. Mr. Reich said the sculpture is fine and tasteful. Ms. Tennor said the sculpture is great and very fun and is a great representation of Howard County's agricultural history. Ms. Graham stated there was a very short amount of time in order to make a decision and she had only had a week to pick a sculpture and therefore couldn't return to the Commission with several options as originally planned. She said the Tourism team spent a lot of time deliberating all the choices, and this piece was the perfect choice because of its size, color and the subject.

**Motion:** Mr. Reich moved to Approve the sculpture for installation. Ms. Zoren seconded. The motion was unanimously approved.

**15-34 – 8167 Main Street, Ellicott City**

Exterior alterations.

Applicant: Alan Gaffere

**Background & Scope of Work:** The building dates to the mid-1980s and was built after the original building burned in 1984. The Applicant proposes to install one 24 inch high by 30 inch wide double-sided projecting sign. The sign will be a total of 5 square feet. The sign will have a white background with teal and orange text, accents and graphics. The sign will be read on 5 lines:

HI PRO  
PRODUCTIONS & MEDIA

Audio & Video  
Production, Post-Production

[www.hipromedia.com](http://www.hipromedia.com)

**Staff Comments:** The application generally complies with Chapter 11 recommendations. The sign will only contain three colors – orange, teal and white. This complies with Chapter 11.A recommendation to, “use a minimum number of colors, generally no more than three.” However, the sign does not comply with Chapter 11.A recommendations, “emphasize the identification of the establishment rather than an advertising message on the face of the sign.” The sign does have two lines of advertising on it, which are in a similar font size to the name of the business.

Initially when the Applicant submitted the application, Staff took a quick look and recommended adding a border around the sign, which is something the Commission has been looking for in signs over the years. However, after closer examination of the sign, Staff recommends creating more of a hierarchy between the name of the business and the advertising message. While the advertising message is recommended against it could be more appropriately placed and sized on the sign, which would then make it less concerning. The largest font on the sign should be the business name. The description of the business and the website should be smaller, secondary fonts to the main font and font size.

The size of the projecting sign complies with Chapter 11.B recommendations, “limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City’s small, attached commercial buildings.”

The sign has already been printed and installed on the building, so this is essentially a request for retroactive approval.

**Staff Recommendation:** Staff recommends the sign be redesigned to present more of a hierarchy within the typography and recommends a border be added to the sign.

**Testimony:** Ms. Tennor swore in Allan Gaffere. Ms. Tennor asked if there were any additions or corrections to the Staff comments. Mr. Gaffere stated he has altered the design to comply with the Staff comments, and handed out a picture of the updated sign to Staff and the Commission. Ms. Tennor asked if the applicant is willing to modify the sign per the Staff’s suggestions. Mr. Gaffere said yes. Ms. Tennor commented that she also worked on the design and came up with a layout for the sign, which allows another alternative and fits the Staff recommendations. Instead of having a box inside of a box, the logo was taken apart a bit, and making the business name a larger representation and a smaller presentation of the services offered, but still retaining the web site address.

Mr. Tennor verified that the sign is already installed. Mr. Gaffere stated the sign maker was supposed to take the sign before the Commission, but never did. Mr. Gaffere went ahead and had the sign installed, and then came forward to the Historic Commission to obtain approval. Ms. Tennor asked if the best approach would be to place a new set of graphics on the panel. Mr. Gaffere stated yes. Mr. Reich asked if the Applicant is fine with the new layout offered by Ms. Tennor. Mr. Gaffere said he is fine with it, even though the logo is not shown as the sign does represent the business. Mr. Reich asked if the other sign on the side of the building will stay. Mr. Gaffere stated no, the new sign will replace it. Ms. Holmes clarified that the other sign in question, which should identify the entire building, does not belong to Mr. Gaffere. This is the owner’s sign. Staff is going to see if the sign can be removed since it is in poor condition and does not identify any tenants in the building. Ms. Tennor asked the Commission if anyone had a preference on which sign is used. Mr. Reich stated he had no preference. He finds the current sign looks nice and identifies the business without being obtrusive. Mr. Roth stated the Applicant’s sign is nice, but also likes Ms. Tennor’s sign. Mr. Roth finds that if the advertising was not quoted on the sign, no one may understand what the business does. Ms. Holmes stated this is why a recommendation was made for redesign of the hierarchy of text, but not removing the information. Ms. Holmes stated for the record that Staff preferred Ms. Tennor’s design.

**Motion:** Mr. Reich moved to Approve the sign design as made by Ms. Tennor, if the Applicant is in agreement. Mr. Roth seconded. The motion was unanimously approved.

Mr. Taylor clarified that the Applicant is in agreement with using the proposed sign done by Ms. Tennor. Mr. Gaffere stated yes he agreed.

#### **15-35 – 3570 Sylvan Lane, Ellicott City**

New construction, retroactive approval.

Applicant: Charles Kyler

**Background & Scope of Work:** According to MDAT the building dates to 1898. The Applicant seeks retroactive approval for the construction of a shed, playhouse and bocce court. The Applicant also seeks approval to construct a new garage in place of the existing carports.

#### **Retroactive Approval**

The red shed is 12 feet by 16 feet and is constructed with a wood frame and T-111 siding. It was installed in 1997 and was built with a permit. The Historic Planner at the time told the Applicant it did not require Historic District Commission approval, which was unfortunately incorrect. The reason this issue is being brought before the Commission today is that a Zoning Complaint was filed on the Applicant regarding the carport structure and the zoning inspector also found these other issues.

The existing three story playhouse is located in the back yard, behind the main historic house. The playhouse was constructed with yellow vinyl siding, white aluminum double hung storm windows, asphalt roof shingles in the color weathered wood and green vinyl louvered shutters. The door is a split wood door, painted white. The playhouse is built on stilts. The structure is over 15 feet tall, which will require the Applicant to obtain a zoning variance as the maximum height for an outbuilding is 15 feet. The house has a small front porch and deck.

The Applicant also constructed a 10 foot by 40 foot bocce court in front of the house, terraced into the hillside. The court is not visible from Sylvan Lane. The only thing visible from the street is a granite retaining wall. The landscaping includes slate and granite steps, walkways and retaining walls. There are black metal exterior lights along the walkway and bocce court.

#### **New Construction**

The Applicant proposes to construct a new two story carriage house/detached garage. This building will replace the current carport in the driveway. The building will have wood board and batten siding with a metal roof. It will be a two car garage with a side lean-to for a third car. This building will not be visible from Sylvan Lane. The building will be painted white with black trim. The roof will be a green metal roof. The windows will be aluminum clad wood white casement and double hung windows. The shutters will be black wood with panels. The exterior lights will be green metal and located on the side door and above the loft door.

For the foundation, the Applicant has stated that because of the terrain they would like to do a bank barn style foundation at the rear, but has not provided any other details. Staff has requested additional information regarding the bank barn style foundation.

**Staff Comments:** The shed complies with Chapter 7.C recommendations, “if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback.” The Guidelines also state that “most outbuildings in Ellicott City are of

frame construction with painted wood siding.” The existing shed is frame construction with painted wood siding.

The playhouse also complies with Chapter 7.C recommendations, “if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback.” The playhouse is located completely behind the main historic house and is not visible from the street at all. Chapter 7.C recommends, “use materials compatible with the main building on the lot or with historic outbuildings in the immediate neighborhood” and states that the section on materials for additions will also apply. Chapter 7.A recommends using “exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building” and “for frame construction, use wood siding or wood shingles similar in appearance to the siding or shingles on the existing building. Aluminum or vinyl or another substitute siding may be acceptable if already used on the existing building. A substitute siding material that is compatible in width, profile, shape, texture and finish to the wood siding on the existing building may be used for additions to non-historic buildings if wood siding is not a viable option.” The siding on the playhouse is vinyl with aluminum storm windows. While these are not typical historic materials, they seem appropriate for a playhouse that is not visible from the street and that is built into a tree.

**Staff Recommendation:** Staff recommends:

1. Retroactive approval of the shed and playhouse, subject to the results of the zoning variance request.
2. Retroactive approval of the bocce court.
3. Approval of the carriage house/garage, subject to additional information regarding the bank barn style foundation.

**Testimony:** Ms. Tennor swore in Charles Kyler. Ms. Tennor asked if there were any additions or corrections to the Staff comments. Mr. Kyler stated at this time he was actually looking to obtain recommendations regarding the garage, not full approval [the application for Certificate of Approval was submitted, not the Advisory Comment application. The Applicant amended the application to Advisory]. Ms. Zoren asked if there will be additional space on top of the garage. Mr. Kyler stated yes, it is going to be a woodshop with stairs inside going up against the back wall of the garage. The rear windows will most likely be casement as the windows will be above the stairs and would not be reachable for a double-hung window. Mr. Reich commented that the shed, playhouse and bocce court cannot be seen from the street, only a part of the garage will be seen when the trees are not in bloom. Mr. Kyler stated the playhouse is tucked around behind the house. Mr. Kyler said the playhouse is too high and also needs a variance. Mr. Reich feels the structures already built are different styles but fit in with the overall property.

Mr. Reich said that Mr. Kyler needs more time to do additional details on the drawings for the garage. He finds the drawings are good for obtaining feedback from the Commission, but the drawings need more accurately illustrated details. Mr. Kyler said he is looking for feedback on the aesthetic impact. He handed out pictures showing the back where the carport canopies are currently located, and this is basically the exact footprint of where the garage will be constructed. Ms. Tennor asked the Applicant if he agrees with Staff that more information is needed for the bank barn style foundation. Mr. Kyler stated yes, but clarified that he still wishes to receive Advisory Comments from the Commission. Mr. Reich stated the approach is right; the board and batten bank barn look with doors on the front that fit with the style of the house. Mr. Roth concurs with Mr. Reich’s comments. Mr. Shad asked about the carriage house roof. Mr. Kyler stated the roof will be metal. Mr. Shad asked about the windows. Mr. Kyler said the windows would be aluminum clad wood, Pella windows. The one window on the lower side will be a single double-hung. There is a window upstairs behind the shutters for the hay loft that will be used as an emergency egress. The back windows will be casement.

**Motion:** Mr. Roth moved to give retroactive approval for the shed and playhouse, subject to the results of the zoning variance, and retroactive approval for the bocce court. Mr. Reich seconded. The motion was unanimously approved.

**15-36 – 3641 Sylvan Lane, Ellicott City**

Exterior alterations, tax credit pre-approval.

Applicant: Tom Harman

**Background & Scope of Work:** According to MDAT, the house dates to 1993, although according to file construction began in 1992 after the previously existing historic house, which was in poor condition, was demolished. The Applicant proposes to install a patio area for the firepit, repaint the house for tax credit pre-approval and build a children's playhouse.

The firepit/patio area will be constructed in the yard, below the driveway. There will be a 22x20 foot irregular flagstone patio installed on compacted granite dust. Adjacent to the flagstone area will be an 8x18 foot Brazilian Ipe deck. The shed will be relocated within the immediate area to be adjacent to the wood decking. The edge of the deck will have a white railing and the grade slopes significantly toward trampoline in the yard. The railing will match the railing used on the house and is aluminum covered in white vinyl.

The Applicant also proposes to paint the house using the existing colors and to repair or replace any damaged wood siding and trim, with materials to match the existing.

The Applicant also proposes to construct a 2-story clubhouse. The clubhouse will be located back in the woods and will not be visible from the street. The clubhouse will be built on grade on concrete blocks. Pressure treated lumber will be used for the framing and the clubhouse will be sided with cedar clapboard siding. The siding will be 6" cedar clapboard siding. The asphalt roof will be a dark grey shingle and the windows will be vinyl clad wood Pella windows.

Staff has requested a sample or photo of the flagstone to be used and a spec sheet or photo of the doors on the clubhouse.

**Staff Comments:** This property has received tax credits in recent years, which should not have been approved as new construction is not an eligible expense. There is plenty of documentation in the file that shows the historic house was torn down and this new house was constructed in its place. While parts of the current house resemble parts of the historic house, it is new construction and not a historic building. The Applicant was also involved with the construction in 1992. Staff recommends denial of the tax credit pre-approval as Section 20.112 of the County Code states that eligible work does not include new construction and that the tax credit is "for the restoration and preservation of an eligible historic property."

Staff has requested a sample of photo of the flagstone to verify the color of the stone.

The shed has not been approved and the Applicant said that it was only temporary. However, if the shed will be in place longer than a few months and is not seasonally placed, then it is not considered temporary and will require approval. The style of the shed does not comply with Chapter 7.A and 7.C of the Guidelines; Staff recommends a more permanent solution be looked into if the shed is to remain in place longer than 3-4 months.

**Staff Recommendation:** Staff recommends approval of the patio and deck and clubhouse. Staff recommends Approval of painting the house, but denial of tax credit pre-approval. Staff recommends the shed be removed and replaced with a more appropriate structure if it is to remain longer than 3-4 months.

**Testimony:** Ms. Tennor swore in Tom Harman and Ashley Harman. Ms. Tennor asked if there were any additions or corrections to the Staff comments. Mr. Harman stated one item which Staff brought up is what kind of stone is being used. He had not been quite sure what stone would be used, but it was decided that a dark grey color stone, which comes in four varieties, would be best and would match the existing stone wall. Mr. Harman would like to use large, irregular rustic type stones for the patio and asked if there was any guidance or recommendations regarding these stones. The patio will be on compacted crushed granite, not on a concrete slab. Mr. Reich stated that any one of the stone colors would work. The patio is far enough from the road, and there is some landscaping. Mr. Roth also agrees any one of the stone colors would be fine. Ms. Holmes told the Commission that if they did not object to any of the four varieties, they could approve all four and let the Applicant decide later.

Mr. Harman said he would like to build a pressure-treated trellis structure over the shed, with a vine planted so it can grow over the trellis. Ms. Tennor stated there is no mention of a trellis in the application, and it would need to be part of the application. She also asked if the railing was in the application. Mr. Harman stated the railing was not depicted, but it is actually the same railing as on the front of the house. He stated when the addition was added forty feet of railing was removed so the same railing will be used. Ms. Tennor asked what it will look like from the edge of the deck to the grade; will it be totally open with supports for the deck. Mr. Harman stated the deck will be made to be level. At the edge of the deck, there is more than an 18 inch drop. The same decking which was part of the removed house will be re-purposed and used for this deck. The wood will match well with the home. As far as the trellis, Ms. Tennor stated that the Applicant will need to submit an application and drawing of the proposed trellis and a product sheet so it can be reviewed and approved.

Mr. Harman said that the fire pit will be a portable one; it has not yet been purchased. Mr. Harman stated the clubhouse will be a two-story structure in the backyard, back into the woods so it is not visible from the road. A small door made out of vertical pieces of wood siding, which was on the original clubhouse, was shown to the Commission. This style door will be incorporated into the clubhouse, but a larger version of the door will be used as the main door. The materials will be pressure-treated wood and cedar siding. Windows will be located on both the lower and upper levels. The upper level is smaller and has a deck. Ms. Tennor asked about the roof material. Mr. Harman stated dark asphalt shingles. Ms. Harman added the outside will not be painted so it will blend in. Ms. Zoren stated she feels the clubhouse could be a little taller to allow a bit more standing room; the allowed height should be checked through Zoning.

Regarding the tax credit, Mr. Harman disagrees with Staff's recommendation about the house being historic. Mr. Harman spoke on the history of the original house and the reasoning for tearing it down. The original intent was to preserve as much as possible of the original structure. The original foundations still remain. Some of the bannisters are fire-charred due to a previous fire, but were being kept. Another banister was oak and rustic, which was hand-sanded and could be used. The previous owner had removed some boards which then allowed rain water to flow into the house and caused damage. Mr. Harman stated as they went through the house much more rot and damage was discovered to the point that materials were just crumbling away. The decision was made to remove the entire house (without HDC approval). Mr. Harman stated a set of new plans was submitted to the then current HDC for building the house. Mr. Harman said does not think it is new construction, but a rehabilitation. He said that the original foundation was used; it was never replaced. Mr. Harman had a lumber mill make siding for the house to match, as the siding was not commercially available. The original pieces of siding, which were not rotted, had been cut out to be used to patch areas of the house. The shutters were milled to period, as well as the hardware. Mr. Harman feels he has restored the house to the state it should be, and still considers the house historic. He said the framing of the house is new, though, because the old framing was too rotted. Mr. Harman stated he has generally not sought out tax credits regularly, but decided to request them this time. Mr. Harman stated he has had issues with the Sherwin Williams paint as the paint formulation has changed and the



paint only lasts about 5 years. It will start to peel off. Ms. Tennor asked Staff the definition for distinction between a rehabilitation and restoration. Ms. Holmes stated there is a file transcript written from 1992 that the house was taken down to the foundation. Mr. Harman stated the house was taken down to the foundation, because it was not in a habitable condition. Ms. Tennor asked if there were architectural elevations done before the original house was removed. Mr. Harman stated back at that time they were not part of the process. Mr. Harman stated he produced the original drawings for the restoration, as he is a civil engineer. The intent was to reproduce the original house. Mr. Reich commented all the aspects of the built house look like they follow the intent of the original design.

Mr. Roth moved to go into closed session to obtain legal advice from Mr. Taylor regarding tax credits. Ms. Zoren seconded. The Commission approved the motion. The session went off the record at 8:20 pm.

Ms. Tennor reconvened the meeting, on the record, at 8:51 pm. Mr. Roth asked the Applicant when the house was taken down to the foundation to what extent were materials from the original house used for the new structure. Mr. Harman stated the only items that were not rotted and usable were the stairwells banisters. All other items were framed up to match the existing layout. Mr. Harman stated instead of doing a standard beam, a narrow beam was done and had straps running with plates; this would not have met code. The foundation walls are still remaining. Mr. Reich asked if any work will be done to the walls. Mr. Harman said mainly just painting. Mr. Harman stated the intent from the start was to put new siding on the house which would be part of the structure to be painted, whether being the original framing or not. Mr. Harman wanted to discuss this and have the Commission understand what was being done, as he feels he has met the intent of the period for the house.

Ms. Tennor opened up the meeting for public comment. Mr. Kyler spoke about the code and that the intent is to maintain the character of the historic district, and to maintain the character of the property and structures. Even though the original house was taken down, he thinks the house was rebuilt with the same footprint, same window cadence, same siding which would be more of a repair and replace, rather than a new design. Mr. Kyler finds the structure that was built very closely resembles the original structure, and helps keep the structure contributing to the historic district.

Mr. Reich suggested that this case be continued to the next month in order to study the tax credits code. Mr. Taylor asked the Commission if anyone would second the motion. No one seconded. Mr. Taylor stated the motion then fails. Ms. Tennor stated a determination will now be done regarding the eligibility for tax credit pre-approval.

Ms. Zoren stated the foundation could be considered as historic. Based on the architectural details and rebuilding of the house, a lot of the detailing is different and the structure looks more like a reproduction. Ms. Zoren does not consider this a historic structure. Mr. Reich is going to abstain on the tax credit. He feels more understanding of the code is needed, and he does not really feel qualified to make an opinion of whether the structure legally fits the requirements for tax credit. Mr. Roth stated he is going with new construction; it is not a historic structure. Mr. Shad stated he would deny tax credits. Ms. Tennor stated because the house was removed almost in entirety due to its condition, there are details which remove the house from being an exact historic reproduction and character. The chimneys were demolished and the structure was a duplex at one point. The structure cannot be considered historic nor qualify for tax credits.

**Motion:** Mr. Roth moved to Approve the patio with any of the four stone options. Ms. Zoren seconded. The motion was unanimously approved. Mr. Roth moved to Approve the application for the playhouse as submitted, with the option to make the playhouse slightly higher, but within code. Mr. Shad seconded. The motion was unanimously approved. Mr. Roth moved to Deny tax credits. Mr. Shad seconded. The motion was approved by a vote of 4. Mr. Reich abstained.

**15-37 – 3765 Church Road, Ellicott City**

Exterior alterations, tax credit pre-approval.

Applicant: Archana Leon-Guerrero

**Background & Scope of Work:** According to MDAT the house dates to 1872. The Applicant proposes to make several interior and exterior structural repairs and seeks tax credit pre-approval for the work. In February 2015 a water pipe burst in the basement of the home. During the cleanup process it was discovered that the sillplates, sillbeams, braces, wall studs, floorboards, Luan underlayment boards were rotten. The Applicant has provided an addendum to the application, outlying the specific work to be done.

Item 1 includes the structural repairs to the interior of the house, which include removing walls and ceilings to expose the damaged areas. The interior structural work then includes:

- a. Remove wall coverings, including paneling and baseboard heater to expose studs and beams and gain access.
- b. Remove ceiling boards from rear wall of basement rec room to expose rear beam.
- c. Remove plywood soffit from crawl space under basement to expose rotten sillboard.
- d. Install temporary shoring with wood braces to support rear rec room ceiling beam.
- e. Cut out rotted sections in sill board at east wall of basement bathroom and cold cellar crawl space.
- f. Replace sections cut out with preservative treated wood flat plates, wood shims and a long board to tie sill sections together.
- g. Reinforce rotted diagonal brace in bathroom wall with a long board on top of the brace.
- h. Replace rotted wood sill board/plate at rear wall of basement rec room.
- i. Add two boards to inside of damaged ceiling beam at rear wall of basement.
- j. After water damaged framing has been repaired, reinstall the wall, floor and ceiling boards (Staff finds this to be finishing work, which Section 20.112 states is not an eligible expense).
- k. The wood column in the crawl space at rear left corner of house will have the rotten portion removed and it will then be filled with preservative treated wood pieces and then primed and painted to make it waterproof. This column supports the entire weight of the rear portion of the house.
- l. The wood columns in the crawl space at the left front corner of the basement rec room needs the rotted portion cut out and filled with wood putty and then primed and painted to make it waterproof.
- m. Grade soil/mulch so that it is below the wood framing along left side of the house, use cobblestone as a barrier between soil and mulch to prevent further rotting of structural wood columns.

Item 2 includes the repointing of both sides of the stone foundation wall under the house, in the crawl space. Repoint the other stone walls throughout the basement area as needed. The color of the mortar will match the existing.

Item 3 includes the repair of two chimneys, including repointing/repairing flashing to make them waterproof. The chimneys will be relined and repaired to become workable. The mortar will match the existing.

Item 4 includes repainting/replacing/rewiring an exterior light post that is located in the front yard along the street.

**Staff Comments:** Item #1 generally qualifies for tax credits as referenced in Section 20.112 of the County Code. Staff finds Item 1.J in the application addendum is finishing work, which is not an eligible expense per Section 20.112.

Item #2 and #3 comply with Chapter 6.C (page 26) recommendations, “maintain or restore granite buildings, foundations, steps, lintels, sills, fence posts and retaining walls,” and are considered an eligible expense per Section 20.112 of the County Code. The foundation is structurally integral to the historic structure and the chimney must be properly repaired and lined or it could cause the entire structure to burn down.

Item #4, the painting and repair of an exterior street light that is located in the yard. The Applicant may repair the light, but the light is not eligible for tax credit pre-approval per Section 20.112 of the County Code. If the light is to be replaced, the Commission will either need to approve a replacement fixture or designate Staff to approve if replacement is found to be needed over repair. A replacement light fixture was not included in the application package. Staff recommends that if replacing the light fixture is needed, it should be replaced to match the existing in style, color and material.

**Staff Recommendation:** Staff recommends:

1. Tax credit pre-approval for Items 1-3, with the exception of Item 1.J in the application addendum.
2. Approval of the replacement of the exterior light, if needed, subject to Staff approval for the fixture to be installed.

**Testimony:** Ms. Tennor swore in Archana Leon-Guerrero. Ms. Tennor asked if there were any additions or corrections to the Staff comments. Ms. Leon-Guerrero stated there have been many contractors, and including Staff, which have pointed out many items which need repairing. In addition, the basement flooding from the burst pipe has exposed many rotting and damaged areas. Ms. Leon-Guerrero has had structural engineers to review the damage and how to fix the problems. Ms. Tennor asked the Applicant if she was generally in agreement with the Staff’s assessment. Ms. Leon-Guerrero stated she is, but does not agree with the recommendation for Item 1.J. She said that if additional walls, floor boards and ceiling require cutting out to see the extent of the damage, everything will need to be replaced and does not seem that this should be classified as finishing work. Ms. Holmes read from the Code why Staff considered this finishing work. Ms. Leon-Guerrero stated that a technician has looked at the street light and it does need replacing.

Mr. Roth moved to go into closed session to obtain legal advice on tax credits. The Commission approved the motion. The session went off the record at 9:16 pm. Ms. Tennor reconvened the meeting, on the record, at 9:20 pm.

Mr. Roth had no additional questions.

Mr. Reich clarified with the Applicant that it was necessary to remove the finishes in order to assess the damage and to repair the damage framing. Ms. Leon-Guerrero stated correct. There had been no plans to do any work on the interior. Mr. Reich asked if the finishes being removed will also be replaced back once the work is done.

Ms. Tennor asked if the damaged interior finish has been removed and is there a second stage of removal. Ms. Leon-Guerrero stated nothing has been removed yet. She said the engineer has recommended removal of more than the interior finish in order to fully assess the damage further back. Ms. Tennor asked the Applicant to submit a picture of the replacement light to Staff for review and approval. Staff confirmed that Staff approval was fine for that item.

Mr. Reich found that Item J should be included for tax credit pre-approval due to the nature of the amount of work to be done and to maintain the historic structure.

**Motion:** Mr. Reich moved to Approve for tax credit pre-approval, including Item J. Mr. Shad seconded. The

motion was unanimously approved.

Mr. Roth moved to Adjourn the meeting. Mr. Shad seconded. The meeting was adjourned at 9:26 p.m.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

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Beth Burgess, Executive Secretary

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Eileen Tennor, Chairperson

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Carol Stirn, Recording Secretary